United Nations A/HRC/31/NGO/142

General Assembly

Distr.: General
22 February 2016

English only

Human Rights Council
Thirty-first session
Agenda item 5
Human rights bodies and mechanisms

Written statement* submitted by the European Centre for Law and Justice (Centre Europeen pour le droit, les Justice et les droits de l'homme), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-02651(E)

Please recycle

IRAQI AND SYRIAN CHRISTIANS AND OTHER RELIGIOUS MINORITIES TARGETED BY ISIS ARE VICTIMS OF GENOCIDE

1. INTRODUCTION

Christians in Iraq and Syria are under systematic targeting by ISIS, and are victims of Genocide. Genocide was first codified in the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention). The Genocide Convention defines "genocide" as

> any of the following acts committed with *intent to destroy, in whole or in part, a national, ethnical, racial or religious group*, as such:"
>
> (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.[1]

The commission of any one of the acts without the violation of others is sufficient to constitute genocide.

The ECLJ and its international affiliates have gathered nearly 300,000 signatures calling for the recognition of ISIS' atrocities as genocide. The purpose of this submission is to urge the United Nations to do everything in their power to protect Christians and other religious minorities and stop genocide.

2. BACKGROUND

In the summer of 2014, ISIS leader, an Islamic caliphate (Islamic theocracy ruled by one Islamic ruler and governed by Sharia law) was created under Abu Bakr Al-Baghdadi. Since then, ISIS has systematically killed Christians and other religious minorities who do not adhere to ISIS' ideology. ISIS members have killed Christians and Yazidis by the thousands, have enslaved and raped thousands more because of their religion, and have destroyed their places of worship, their homes, and their livelihoods. Recent evidence shows that ISIS is, barbarically, burning Christians alive in locked caskets.[2]

In Iraq and Syria, Christians represent a small minority of the population, roughly 8% in Syria,[3] and less than 3% in Iraq.[4] The Christian population in both countries is rapidly decreasing. Tens of thousands of Christians have fled Syria in fear for their lives.[5] ISIS' religion-targeted abuses include "killings, rape, kidnapping, enslavement, theft . . . destruction of religious sites . . . sexual slavery, forced conversion, ransom demands, property seizures, and forced business closures."[6] In Syria, ISIS has beheaded and stoned men, women, and children for blasphemy, heresy, and

---

[1]Convention on the Prevention and Punishment of the Crime of Genocide, 9 Dec. 1948, *available at* https://treaties.un.org/doc/Publication/UNTS/Volume%2078/volume-78-I-1021-English.pdf (emphasis added).
[2]Anuragh Kumar, *ISIS Burns Christians Alive in Locked Caskets, Escaped Prisoner Reveals*, CHRISTIAN POST(6 Jan. 2016), http://www.christianpost.com/news/isis-burns-christians-alive-locked-caskets-escaped-iraqi-soldier-islamic-state-prisoner-revels-154281/.
[3]BUREAU OF DEMOCRACY, H.R. AND LAB., U.S. DEP'T OF STATE, SYRIA 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT 2 (2014) [hereinafter Syria Report].
[4]BUREAU OF DEMOCRACY, H.R. AND LAB., U.S. DEP'T OF STATE, IRAQ 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT 3 (2014) [hereinafter Iraq Report].
[5]Syria Report, *supra* note 3 at 2, 14.
[6]Iraq Report, *supra* note 4, at 1–2.

apostasy.[7] ISIS demands that Christians convert to Islam, pay a protection tax called jizya, or flee, punishing by death those who fail to comply.[8]

ISIS' notorious abuses are targeted primarily against religious minorities.[9] In June 2014, after ISIS seized the city of Mosul, Iraq, it demanded that Christian residents either convert to Islam, pay a tax for protection to ISIS, or be executed.[10] Several important religious sites and Christian institutions in Mosul were destroyed.[11]

Similarly, Christians living in Raqqa City, Syria, were forced to flee their homes.[12] The property of the Christians who fled was confiscated, and all churches in the city were transformed into mosques.[13] Very few Christians remained in the city, and those who chose to remain and pay jizya were forced to pay ISIS a tax totaling $335 per family per year.[14]

In August 2015, twelve Syrian Christians were brutally and publicly tortured and executed in a village near Aleppo, Syria, because they refused to convert to Islam.[15] ISIS members cut off a young boy's fingertips and beat him as they demanded that his father and two other men renounce Christianity, before executing all four by crucifixion.[16] Eight women were publically raped and beheaded after they refused to renounce Christianity.[17] Recently, ISIS fighters destroyed Iraq's oldest Christian monastery, St. Elijah's.[18] Father Paul Thabit Habib, a Catholic priest said that Iraq's "Christian history was 'being barbarically leveled.'"[19] He added, "'[W]e see it as an attempt to expel us from Iraq, eliminating and finishing our existence in this land.'"[20]

ISIS' treatment of Christians is directly comparable to its treatment of another religious minority, the Yazidis. In August 2014, ISIS captured a Yazidi village and demanded that its residents convert to Islam. When the villagers refused to convert, ISIS executed at least 100 Yazidi men and took the women and children hostage as sex slaves.[21] Similarly, in Syria, ISIS beat and tortured twenty-five Yazidi men in an attempt to convert them.[22] A small number were reportedly released after their families paid a ransom, but the rest were killed.[23]

2. ISIS' ACTS ARE ACTS OF GENOCIDE

ISIS' commission of killings, rape, enslavement, destruction of places of worship, and forcible religious conversion of Christians and other religious minorities in Iraq and Syria because of their religion constitutes the crime of genocide under the Genocide Convention.

First, it is indisputable that Christians constitute a religious group. It is important to mention that both Christians and Yazidis constitute religious groups, and both have been subjected to similar treatment by ISIS.

---

[7] Syria Report, *supra* note 3, at 1.
[8] *Id.*
[9] Iraq Report, *supra* note 4 at 4.
[10] *Id.* at 13.
[11] *Id.*
[12] Syria Report, *supra* note 3 at 11.
[13] *Id.*
[14] *Id.*
[15] *Christian Workers in Syria Crucified, Beheaded*, CHRISTIAN AID MISSION (1 Oct. 2015), http://www.christianaid.org/News/2015/mir20151001.aspx.
[16] *Id.*
[17] *Id.*
[18] *Iraq's Oldest Christian Monastery Destroyed by Islamic State*, BBC NEWS (20 Jan. 2016), http://www.bbc.com/news/world-middle-east-35360415.
[19] *Id.*
[20] *Id.*
[21] Iraq Report, *supra* note 4 at 11.
[22] Syria Report, *supra* note 3, at 10.
[23] *Id.*

Second, these acts are committed with *intent to destroy* Christians. ISIS "has been vocal about its 'genocidal intent' toward Christians and other minorities."[24] The natural and intended consequence of killing, raping, enslaving, forcibly converting persons to Islam, and destroying Christian places of worship is the destruction, *in whole or in substantial part*, of religious minorities.

Today, ISIS is specifically targeting Christians because of their membership in a particular religious group. According to the Genocide Convention, killing members of a religious group alone is sufficient to constitute genocide. ISIS systematically continues to commit several of the enumerated categories of the Genocide Convention, each of which individually establishes genocide.

ISIS intends to kill all Christians if they do not convert, pay jizya, or flee. Paying jizya or converting to Islam to avoid death are not meaningful alternatives. In fact, forcible conversion coupled with destruction of Christian places of worship are acts that by their very nature are intended to destroy Christians as a religious group. If Christians succumb to forced conversion, there will be no such group called Christians in Iraq and Syria. If they do not convert and refuse to pay jizya, they will be killed. Either way, Christians as a religious group will cease to exist in the region—a clear goal of ISIS. Moreover, just because ISIS may allow Christians to pay jizya to spare their lives does not negate ISIS' intent to destroy Christians as a religious group. As such, one cannot legitimately claim that, because some Christians can save their lives by paying jizya, ISIS is not engaged in the genocide of Christians. The fact that some Christians have not been killed does not outweigh the many instances where hundreds have been killed.

Without international intervention designed to end this slaughter—to paraphrase the words of UN Ambassador Samantha Power—the International Community will become "no more than witnesses at a funeral"[25] of thousands of Christians and thousands of years of the world's most important history.

4. CONCLUSION

Therefore, the ECLJ urges the United Nations to join other international bodies such as the European Parliament[26] and the Council of Europe's Assembly[27] and publically proclaim that Christians and other religious minorities in Iraq and Syria are victims of genocide and deserving of international assistance and protection.

---

[24]Sarah Kaplan, *Has the World Looked the Other Way While Christians are Killed?*, THE WASHINGTON POST (Apr. 7, 2015), https://www.washingtonpost.com/news/morning-mix/wp/2015/04/07/has-the-world-looked-the-other-way-while-christians-are-killed/.

[25]SAMANTHA POWER, "A PROBLEM FROM HELL" AMERICA AND THE AGE OF GENOCIDE 247 (2002, 2003, 2007, 2013) (referencing the Bosnian genocide).

[26]P.A. Res. 2091 (27 Jan. 2016).

[27]E.P. Res. 2016/2529(RSP) (2016).